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DEPARTMENT FOR AF/W, DRL

E.O. 12958

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SUBJECT: IN THE NICK OF TIME: PARLIAMENT PASSES THREE GENDER BILLS TO PROMOTE EQUAL RIGHTS

**¶1.** (U) On June 14, just days before it officially dissolves, Parliament unanimously passed three bills related to gender issues. The three pieces of legislation include: the Devolution of Estate; the Registration of Customary Marriages and Divorce; and the Domestic Violence Bills. With President Ahmad Tejan Kabbah's urging, Parliament shepherded the bills through hearings and the legislative committee in less than two weeks. These three bills represent a small yet significant step towards meeting international standards on gender equality, including the ratification of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). President Kabbah observed that these laws will help Sierra Leone become "a land of equal rights and equal opportunity regardless of gender."

**¶2.** (U) The Devolution of Estate Bill outlines provisions for intestate succession. The bill contains language that grants inheritance rights to children born out of wedlock, who were previously excluded under the old law. The bill also includes in the definition of spouse individuals who have cohabited with the deceased for ten or more years.

**¶3.** (U) The Registration of Customary Marriages and Divorce Bill requires consent be granted for girls under the age of 18 to marry. It also empowers either spouse to acquire property and guarantees that women, when seeking a divorce, must not repay any gifts, payments, or dowries. Before the current bill, women had no legal protection and often would remain in an unhealthy relationships out of fear the husband would request repayment of gifts or dowries.

**¶4.** (U) Domestic violence is quite prevalent in Sierra Leone and often surrounded by a culture of silence. Under customary law, it is within husbands' rights to administer reasonable punishments to wives. The Domestic Violence Bill provides a comprehensive definition of domestic violence, including physical and sexual abuse, emotional, verbal, and psychological abuse, economic abuse, intimidation, harassment and stalking, damage to property, entry into residence without consent, and any abusive or threatening confrontation. The bill also provides mechanisms to address domestic violence including, mediation, punishment of the perpetrator through criminal law and protection of victims through civil law.

**¶5.** (U) President Kabbah, who issued a certificate of urgency for these bills to push through their timely passage, pledged in his June 19 farewell speech to Parliament that the "Government will continue to empower women in all areas of endeavor so that soon, all of us in Sierra Leone can proudly say that this is a land of equal rights and equal opportunity regardless of gender." He particularly noted the need for "adequate protection for women against violence," citing specifically "harmful cultural practices against the girl-child," a reference to female genital mutilation.

**¶6.** (SBU) COMMENT: There was uncertainty that these bills would be passed before Parliament dissolves on June 25. Their passage is a welcome sign that Sierra Leone is making progress towards achieving

greater gender parity and providing greater protection for segments of the population that have been vulnerable to sexual and gender-based violence. However, implementation and enforcement of this new legislation will remain a challenge for the Sierra Leone Police and a weak judiciary system, which remain constrained by a lack of capacity and resources. END COMMENT.

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